

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| -v.- | : | |
| | : | |
| | : | <u>JUDGMENT OF FORFEITURE</u> |
| \$105,824.58 SEIZED FROM METROPOLITAN | : | |
| COMMERCIAL BANK ACCOUNT | : | 22 Civ. 9103 (KPF) |
| 0199010773, HELD IN THE NAME OF | : | |
| “PARTNERS CAPITAL INVESTMENT,” | : | |
| | : | |
| Defendants- <i>in-rem</i> . | : | |
| | : | |
| ----- | X | |

WHEREAS, on or about October 24, 2022, the United States commenced an *in-rem* forfeiture action by filing a Verified Complaint for Forfeiture (the “Forfeiture Complaint”) seeking the forfeiture of the following assets:

- i. \$105,824.58 seized from Metropolitan Commercial Bank Account 0199010773, held in the name of “Partners Capital Investment”

(the “Defendant Funds”)

WHEREAS, the Verified Complaint alleged that the Defendant Funds are subject to forfeiture pursuant to Title 18, United States Code, Sections 981(a)(1)(A), 1956 and 1960;

WHEREAS, notice of the Verified Complaint against the Defendant Funds was posted on the official government internet site, www.forfeiture.gov, for at least 30 consecutive days, beginning on October 26, 2022 through November 24, 2022, and proof of such publication was filed with the Clerk of this Court on January 24, 2023 (D.E. 11);

WHEREAS, as set forth in Rule G(4)(a)(ii) and Rule G(5)(a)(ii), the notice of forfeiture specified the Defendant Funds and the intent of the United States to forfeit and dispose

of the Defendant Funds, thereby notifying all third parties of their right to file a claim to adjudicate the validity of their alleged legal interest in the Defendant Funds, within sixty days from the first day of publication of the Notice on the official government internet site;

WHEREAS, on or about December 19, 2022, the Court entered a Stipulation and Order extending the deadline for Partners Capital Investment, Ltd. (“PCI”) to file a claim to January 23, 2023 (D.E. 6);

WHEREAS, on or about January 23, 2023, PCI filed a Verified Claim asserting an ownership interest in the Defendant Funds (the “PCI Claim”) (D.E. 8);

WHEREAS, on or about January 24, 2023, the Court entered a Stipulation and Order of Settlement whereby the parties agreed that \$68,785.98 of the Defendant Funds would be forfeited to the United States (the “Forfeiture Funds”), and that the balance of the Defendant Funds in the amount of \$37,038.60 would be returned to PCI (the “Release Funds”) (D.E. 12); and

WHEREAS, no claims or answers have been filed or made in this action, except the settled PCI Claim, and no other parties have appeared to contest the action, and the requisite time periods in which to do so, as set forth in Title 18, United States Code, Section 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Forfeiture Funds shall be, and the same hereby are, forfeited to the plaintiff United States of America.
2. The Release Funds shall be returned to claimant PCI via payment made through the United States Treasury.

3. The United States Treasury (or its designee) shall dispose of the Forfeiture Funds according to law.

The Clerk of Court is directed to terminate the motion at docket entry 15.

SO ORDERED:

Dated: January 25, 2023
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

THE HONORABLE KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE